



CITY OF NAPAVINE PLANNING COMMISSION MEETING
Monday – June 17, 2024 – 6:00 PM

Deborah Graham,
Position 1

Amy Hollinger
Position 2

Arnold Haberstroh,
Position 3

Amy Morris
Position 4

Scott Collins
Position 5

Bryan Morris
PW/CD Director

- I. PLEDGE OF ALLEGIANCE**
- II. INVOCATION**
- III. CALL TO ORDER**
- IV. ROLL CALL**
- V. APPROVAL OF AGENDA – As Presented**
- VI. APPROVAL OF MINUTES**
 - 1) Planning Commission Meeting– June 3, 2024**
- VII. OLD BUSINESS**
 - 1) NMC 13.08.010 – 13.08.140 Sewer System (Tabled until next meeting per K. Williams)**
 - 2) Mobile Food Vendors**
 - 1. Moratorium Ordinance.**
- VIII. CONSIDERATION**
- IX. CITIZEN COMMENT**
- X. GOOD OF THE ORDER**
- XI. ADJOURNMENT**

**Planning Commission Meeting is held in person and via
Teleconference.**

Teleconference Information

Dial-in number (US): (720) 740-9753

Access code: 8460198

To join the online meeting:

<https://join.freeconferencecall.com/rdenham8>

City of Napavine
407 Birch Ave SW
P O Box 810
Napavine, WA 98565
360-262-3547

City Website
www.cityofnapavine.com



NAPAVINE PLANNING COMMISSION MINUTES
June 3, 2024 6:00 P.M.
Napavine City Hall, 407 Birch Ave SW, Napavine, WA

PLEDGE OF ALLEGIANCE:

INVOCATION: Invocation was led by Commissioner Morris.

CALL TO ORDER:

Commissioner Graham opened the regular Planning Commission meeting to order at 6:00 PM

ROLL CALL:

Planning Commission present: **Commissioner Hollinger, Commissioner Graham, and Commissioner Morris.**
Commissioner Hollinger motioned to excuse Commissioner Collins and Commissioner Haberstroh, seconded by Commissioner Morris. **Vote on Motion 2 aye, 0 nay.**

APPROVAL OF AGENDA – As presented:

Commissioner Morris motioned to approve the agenda as presented, seconded by Commissioner Hollinger. **Vote on motion 2 aye, 0 nay.**

APPROVAL OF MINUTES:

Commissioner Hollinger motioned to approve minutes from the Planning Commission Meeting on May 20, 2024, seconded by Commissioner Morris. **Vote on motion 2 aye and 0 nay.**

OLD BUSINESS:

1. NMC 13.08.010 – 13.08.140 Sewer System

Director Morris stated he liked Buckley’s code but would like to omit 14.12.040 Expense Reimbursement between property owners because the would be a record-keeping headache. **Executive Katie Williams** stated that you could add language in putting it on the property owners to do the leg work to do a Latecomer’s agreement, provide that option in the code. **Director Morris** stated that Tenino’s is pretty short and sweet also, but maybe merge Buckley and Tenino’s together with the Latecomer/LID language. **Director Morris** stated Washougal’s code was made for a bigger city. Commissioner Morris wanted to make sure that the human occupancy section (B) of Tenino’s could be implemented into Napavine’s code.

Commissioner Morris motioned to table NMC 13.08.040 When public sewer not available until the next meeting, requested that Katie merge Buckley and Tenino’s codes to present at next meeting, seconded by Commissioner Hollinger. **Vote on motion 2 aye, 0 nay.**

2. Mobile Food Vendors

Director Morris wanted to let everyone know that the Taproom has a post out on Facebook right now requesting food trucks to come out to the Taproom on certain dates. At this point the city has no policy in place to put any stipulations on the food trucks.

Discussion continued on the difference of food trucks and physical restaurant locations.

Commissioner Hollinger will continue to work on merging the two codes and get it back to Katie.

Commissioner Hollinger motioned to table until next meeting, seconded by Commissioner Morris. **Vote on motion 2 aye, 0 nay.**

CONSIDERATION:

Director Morris suggested a moratorium on food trucks until the code is finalized.

ADJOURNMENT 6:34 pm

Commissioner Morris motioned to adjourn, seconded by **Commissioner Hollinger**. Vote 2 aye, 0 nay.

These minutes are not verbatim. If so desired, a recording of this meeting is available online at <https://fccdl.in/4JVsrj4PBH>.

Respectfully submitted,

Bryan Morris, Community Development/Public Works Director

Planning Commission Chairperson

CITY OF NAPAVINE, WASHINGTON

ORDINANCE NO. 662

AN ORDINANCE OF THE CITY OF NAPAVINE, WASHINGTON, IMPOSING AN IMMEDIATE MORATORIUM ON THE FILING, ACCEPTANCE, PROCESSING, AND/OR APPROVAL OF APPLICATIONS FOR THE SITING, ESTABLISHMENT, AND OPERATION OF FOOD TRUCKS WITHIN THE CITY LIMITS FOR A SIX-MONTH PERIOD; AND PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

RECITALS:

WHEREAS, the City of Napavine, Washington (the “City”) is a Code City under the laws of the State of Washington; and

WHEREAS, pursuant to RCW 35A.11.020, the City may adopt and enforce ordinances of all kinds relating to and regulating the City’s local or municipal affairs and appropriate to the good government of the City; and

WHEREAS, all references herein to “NMC” shall mean the “Napavine Municipal Code,” and

WHEREAS, RCW 36.70A.390 authorized the City Council to adopt an immediate moratorium for a period of up to 6 months without holding a public hearing on the proposal if a public hearing is held within at least 60 days of its adoption; and

WHEREAS, moratoriums enacted under RCW 36.70A.390 and/or RCW 35.63.200 are methods by which local governments may preserve the status quo so that new regulations will not be rendered moot by intervening projects; and

WHEREAS, RCW 36.70A.390 also provides an extension of up to an additional 6 months is possible if there is work plan developed for related studies; and

WHEREAS, pursuant to WAC 197-11-880, the adoption of this ordinance is exempt from the requirements of a threshold determination under the State Environmental Policy Act; and

WHEREAS, the City Planning Commission has reviewed and recommended the Moratorium addressing food trucks throughout the city; and

WHEREAS, the City’s code fails to address the concerns associated with food trucks; and

WHEREAS, the City staff and citizens are concerned about vehicular congestion, parking, and safety on City streets within the City limits; and

WHEREAS, the City believes a moratorium on applications for food trucks is in the City’s best interest; and

WHEREAS, due to safety concerns the passage of this ordinance is necessary for the protection of public health, public safety, public property, and the public peace; and

WHEREAS, the City Council will conduct a public hearing, within 60 days, on Tuesday, _____, 2024, at 6:00 pm regarding the Moratorium; and

WHEREAS, there are no known pending or contemplated applications for food trucks at the time of enactment; and

WHEREAS, the City Council concludes that the City has the authority to establish a moratorium and that the City must adopt a moratorium concerning the filing, acceptance, and processing of new applications for food trucks.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NAPAVINE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Findings of Fact. The City Council adopts the above recitals as findings of fact in support of its action as required by 36.70A.390 and RCW 35A.63.220.

Section 3. Moratorium Imposed. A moratorium is imposed on the filing, acceptance and processing of new applications for food trucks, within the City, except for those which have a special event permit for the Napavine Fun Time Festival. During the term of this moratorium, the City will not accept and process new applications for food trucks, however, this moratorium will not apply to any pending applications that were technically complete before the effective date of this ordinance. The City will accept special event permits for food trucks for Napavine Fun Time Festival only.

Section 4. Public Hearing on Moratorium. Pursuant to RCW 36.70A.390, the City Council must hold a public hearing on this moratorium within 60 days of passing this ordinance. The City Council will conduct a public hearing, within 60 days, on Tuesday, _____, 2024, at 6:00 pm regarding the Moratorium.

Section 5. Duration of Moratorium. This moratorium shall be in effect for six (6) months, beginning on _____, 2024, and ending on _____, 2024, unless an ordinance is adopted amending the Napavine Municipal Code and rescinding the interim zoning before November 24, 2022.

Section 6. Work Plan. During the moratorium period, City staff will study the issues concerning automotive/vehicle fueling stations and include that work with a comprehensive plan update. Staff will prepare a draft ordinance, and conduct the public review process, including public hearings before the City's Planning Commission and City Council, as required for

amendments to the City's development regulations. Staff will work through the SEPA process as well.

Section 7. Severability. If any section, sentence, clause, or phrase of this Ordinance should be held to be unconstitutional or unlawful by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this Ordinance.

Section 8. Emergency Declaration and Effective Date. Therefore, the City’s moratorium must be imposed immediately to prevent any development rights from vesting and preserve the City’s ability to process applications under valid codes. Without a moratorium, new food truck applications would become vested under current code, which may frustrate City policy. This ordinance, passed by a majority plus one of the whole membership of the City Council as a public emergency ordinance necessary for the protection of the public health, public safety, public property, or public peace, shall be effective immediately upon its passage.

Section 9. Corrections. Upon approval of the City Attorney, the City Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener’s/clerical errors, references, ordinance numbers, section/subsection numbers, and any references thereto.

PASSED by the Council of the City of Napavine, Washington, and **APPROVED** by the Mayor of the City of Napavine at a regularly scheduled open public meeting thereof, this _____ day of June, 2024.

Shawn O'Neill, Mayor

Attest:

Approved as to form:

Rachelle Denham, City Clerk

James M.B. Buzzard, WSBA # 33555
City Attorney

Approved Reading: _____/2024
Publication Date: _____/2024
Effective Date: _____/2024